

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**ROCHELLE TARLOWE**, and **SETH JONAS**,  
collectively and individually, and on behalf of **ZACHARY**  
**JONAS**, a minor,

Plaintiffs,

**DECLARATION  
OF JESSE COLE  
FOLEY**

-against-

**NEW YORK CITY BOARD OF EDUCATION**,  
d.b.a. **NEW YORK CITY DEPARTMENT OF**  
**EDUCATION**, and **JOEL KLEIN**,  
in his official capacity as Chancellor of the New  
York City School Districts

Defendants.

ECF CASE  
Civ. No. 07 Civ. 7936

Assigned Judge: GEL

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**JESSE COLE FOLEY** declared, under penalty of perjury pursuant to 28 U.S.C.  
§1746, that the following is true and correct:

1. I am the attorney for Plaintiffs in the above-captioned action. I submit this declaration in support of Plaintiffs' motion for summary judgment.
2. Annexed is a copy of the Hearing Officer's Decision, dated January 9, 2007, 11 pp.
3. Annexed is a copy of the State Review Officer's Decision, dated May 11, 2007, 15 pp.

Dated: New York, New York  
December 28, 2007

LAW OFFICES OF SKYER, CASTRO, FOLEY & GERSTEN  
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By: \_\_\_\_\_

JESSE COLE FOLEY

